

NATIONAL CANNERS ASSOCIATION INFORMATION LETTER

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FURTHER DEVELOPMENT OF DESCRIPTIVE LABELING PLANS

In order that the plans for descriptive labeling of the industry's products, recommended in the final report of the labeling committee to the National Recovery Administration, may be extended to cover products not included in the committee's report, President Thorne has reappointed the members of this committee as an Association committee to carry on the work. Mr. Frank Gerber will be chairman of the newly appointed committee, and will name such commodity subcommittees as may be necessary.

The Laboratories of the National Canners Association have started work on the development of such objective tests as will be required for the definitions of terms to be used in the descriptive labeling.

NRA ISSUES COMMENT ON LABELING COMMITTEE REPORT

As announced in last week's Information Letter, the committee appointed in pursuance of the Executive Order of May 29, submitted its report on grades and labeling to the National Recovery Administration on September 26. Copies of the report, which makes recommendations for a system of descriptive labeling, have been sent by the Association to all canners.

Since the submission of the report, the National Recovery Administration has issued two press releases. One of these, issued under date of October 1, contains an expression of views on the report by members of the advisory committee appointed by Division Administrator Riley. The other is a report to Division Administrator Riley by the NRA Consumers Advisory Board.

Following is the first release issued on October 1:

The Advisory Committee of Government representatives named to advise the Administration in drafting standards, grading and labeling provisions for the canning code today submitted a report to Division Administrator Armin W. Riley in which they sharply criticised the proposals of the Committee on Labeling appointed under the terms of the approved code for the canning industry as "failing to meet the needs of the consumers."

The report is signed by C. W. Kitchen, Assistant Chief of the Bureau of Agricultural Economics; W. B. White, Chief of the Food Control Laboratories, Food and Drug Administration, and Karl Hauck, of the NRA Consumers Advisory Board. The report takes issue with the members of the Labeling Committee on the question of discarding the A, B, and C or other similar systems of grading and insist that such a system, plus additional explanatory descriptions, will be necessary in order to inform the consumer just what type and quality of product is contained within the can. The report follows:

"Your Advisory Committee of three public representatives has considered carefully the 'Final Report of the Committee on Labeling Appointed Pursuant to the Executive Order of May 29, 1934, to the Administrator for Industrial Recovery.'

"In our opinion, the proposals in the report fail to meet the needs of consumers for quality standards and labeling. Although the Committee of the canning industry had previously committed itself 'to the development of a comprehensive system of descriptive labeling,' its suggestions as to the items of information which might be shown on labels do not comply, in our opinion, with the requirement of the Executive Order of May 29, 1934, for the 'formulation of standards of quality' and recommendations 'for the inclusion in said Code, of provisions with respect to such standards and labeling requirements.'

"In the present report, the Committee of the Industry expresses decided disapproval of A, B, C, or other similar systems of grading on the grounds (1) that the impossibility of measuring flavor will make the grades unreliable and uninformative, thereby deceiving consumers, (2) that grades will be less informative than clear separate statements, (3) that complete quality grades are unenforceable as to accuracy because of the necessary inclusion of factors incapable of objective definition, (4) that such a course would increase the already considerable misbranding because of the temptation to overstate grade and because of the knowledge of unenforceability, (5) that irrespective of the above points, complete grading will eliminate the multiplicity of grades now used in transactions between canner and dealer, and further, competition will force canners to pack to the bottom of the announced grades, and (6) that such a system would force favorably situated sections of the country to the permanently lower grade level of competing sections, which would tend to the lowering of the prescribed grades below the existing commercial levels with consequent damage to the trade, the consumer, and the farmer.

"We disagree with the Canners' Committee that collective quality designations are impractical and must be rejected in any program of quality labeling for the benefit of consumers. We do not believe the objections indicated by the Canners' Committee are well founded or demonstrate that grades and grade labeling cannot be adopted.

"Your committee holds no brief for any particular system of conveying to the consumer the vital information concerning quality which is being insistently demanded and which, therefore, in our opinion, must still be squarely met by the industry. In the absence of a more simple logical scheme of quality nomenclature, your committee inclines to the belief that 'Grade A,' 'Grade B,' 'Grade C,' etc., or 'Grade 1,' 'Grade 2,' 'Grade 3,' etc., are terms best suited for informative labeling purposes. We feel the consumer needs will be met by the inclusion on canned foods labels of the following information:

- "1. A concise truthful statement of grade.
- "2. Such additional explanatory statements as style of pack, count of pieces, size of units, number of servings, as may be appropriate for the product.

"To adopt the plan of the report under discussion as the initial step toward the desired end would result in placing such multiplicity of information on the label that it would merely result in consumer confusion. We have previously expressed the opinion that information relative to actual quality is what the consumer desires first and foremost. Your committee regrets exceedingly to note in the regulations proposed on pages 18 to 27, that there is a dearth of information reflecting true table quality. For example, you will note on page 18, that there is no index of maturity of asparagus, or of the fibrous condition so repugnant to the consumer, while the definition of the term 'green' has that very vagueness and lack of enforcibility which we understand the industry so much deplores. On the other hand, there is a multiplicity of terms which denote mainly style of pack which, while conveying important information, may well result in consumer confusion and lack of confidence. It is quite conceivable that two cans of asparagus, peas, or the like, might carry identical descriptive labeling and yet be so widely different in inherent quality as to have a price spread greater than 2 to 1. Incidentally, certain of the so-called descriptive criteria now appear on labels and must, of practical merchandising necessity, be shown.

"In its previous report, your committee has expressed the conviction that enforceable official quality criteria can be worked out for many of the important canned foods within a reasonably short period, given an adequate technical set-up. The proposed regulations recognize the need of such criteria, and it is our thought that regardless of the method or system of conveying quality information to the consumer, the factors such as color, texture, and tenderness should precede or accompany, rather than follow, the disclosure on the label of information which goes no deeper than shape, size, style of pack, seasoning, etc.

"The industry has pledged itself to the working out of fundamental criteria of maturity, workmanship, and other inherent quality factors at the earliest opportunity. This, your committee heartily endorses.

"It may be of interest to you to know that the Department of Agriculture has worked out plans looking to the complete standardization of canned products in such manner as to leave no doubt as to their enforcibility, and has already formulated a draft of quality standards for canned tomatoes sufficiently definite and objective to be enforceable in an action under a criminal statute.

"Your committee has noted the suggestion that a 'Descriptive Labeling Committee' be designated to succeed the retiring 'Committee on Labeling.' We suggest that, if a new committee of the industry is designated, it be called the 'Committee for the Formulation of Standards of Quality' as contemplated in the Executive Order of the President of May 29, 1934. It is obvious that this is in keeping with the intent of the President's order.

"Your attention is also directed to the period which may elapse before any labeling is actually necessary under the terms of their proposal. As a matter of fact, labeling provisions can and should be made effective immediately upon the promulgation of grades satisfactory from an enforcement point of view. Their proposal would make it possible for a canner to buy two years' supply of labels today and thus obviate the necessity of giving the consumer even the scant information proposed.

"Present stocks of labels could be used by overprinting the grade designations at but a slight cost. That this is practical is indicated by a letter received at the Department of Agriculture today from one of the largest distributors of canned foods, reading in part as follows:

"These are the old style labels on which we have merely imprinted the grade. On the #1 Golden Bantam Corn we merely had 'Grade A' incorporated at the top of the panel, but no other change. On the Stringless Bean label we are going to make a further change as I have indicated in pen and ink by substituting the words 'Whole Green' for the words 'Fancy Quality.'

"Within the next few days we will have specimen copies of the entire new * * * design for a number of different products. On these we are showing merely the wording 'Grade C' without supplementing it with the word 'Standard.'

"The fact that these new labels are now on the press indicated that our supply of the old has almost been used, and the new ones will go out to the shippers right away.'

"We believe it to be in the interest of both the industry and the public to adopt the principle of quality standards and grade labeling, and to proceed with its application as rapidly as enforceable grades are promulgated. Since Department of Agriculture grades of this type for canned tomatoes are available, it is the recommendation of the committee that they be adopted immediately for labeling purposes."

The report of the Consumers Advisory Board, released October 4, contains an introductory statement as well as the text of the report itself, as follows:

In a report submitted today to Division Administrator Armin W. Riley, commenting on the final report of the canning industry committee on labeling, the NRA Consumers Advisory Board called for "immediate adoption of quality grading, instead of experimenting with the half-way measure."

The Board's comments were submitted by Malcolm Ross and Karl Hauck, who have been the Board's advisors in the committee's deliberations.

Their report stresses the results reported from grade labeling of canned foods which has been practiced in Canada for 15 years. They say that improved marketing conditions due to grade labeling have brought benefits to both consumers and producers.

It is the Board's report asserts that the so-called A, B, C grades would be simpler and more practical than the system of descriptive terms proposed by the canners, and that advance printing of labels under the latter would entail great expense. No claim is made that the Canadian grades so far established "meet proper requirements" but the Board believed Canadian experience should be studied.

The Board cites three weaknesses as due to the present lack of grade labels; the consumer does not have the benefit of making a test of what is bought; undesirable merchandise which is rejected by commercial buyers is passed on to the consuming public, and unfair competition between canners flourishes. These conditions, the Board says, do not exist in Canada.

In conclusion, the report promises that "not only will the consumer benefit by the adoption of grade labeling, but the industry will also if

it will consent to giving the consuming public a new and better deal." The text of the report follows:

"The Consumers' Advisory Board believes that the Canning industry, by recommending a system of descriptive terms on the labels of canned food products, has taken a first step which logically leads to eventual labeling of their products by quality grade. Out of practical consideration, however, the Board urges the industry to apply the results of its recent research into labeling requirements to the immediate adoption of quality grading, instead of experimenting with the half-way measure. The reasons urging the Board to this conclusion are, in addition to those set down in its joint report the following:

"The suggested attempt to give consumers information about canned products through descriptive terms involves agreement by canners on exactly what constitutes such factors as tenderness in peas, greenness in asparagus, etc. Obviously, unless such quality factors are to be measured by exact tests upon which all canners agree, one canner's conception of 'very tender' will disagree with another's, and the system will prove meaningless to consumers. Further, a number of such tests would have to be worked out for every kind of canned product.

"The project, in effect, would be piece-meal grading, with a separate test worked out for each factor involving quality, and a separate adjective put on the label to describe the results of the test.

"To the Consumers' Advisory Board it seems much simpler to sum up these separate objective tests for quality in one familiar designation, such as Grade A, Grade B, or Grade C. To cite the above examples, the degree of goodness of the peas or asparagus—first, or other, pick of the crop, tenderness, color, freedom from blemish, length of cooking, etc.,—can be tested by samples and a grade rating given the pack. This would reduce the information on the label to: the brand name, the quality grade designation, such persuasive 'copy' as the producer wishes to use, the net weight of the contents and the size of the peas, or number of asparagus stalks.

"The practical matter of printing labels in advance of the packing season is called to the attention of the industry. Should its 'descriptive terms' plan be adopted, a multiplicity of labels would have to be prepared at large expense, in order to provide for seasonal variations in crops. This would not be the case were grade designations used, since any crop would perforce fall into one of the grades established.

"The few experiments in grade labeling conducted to date by canners in this country have not adequately tried out the plan, since their graded products have had to stand competition from other products upon whose labels the canner might place any unsupported claim to excellence that suited his fancy. Nevertheless, grade labeling is now being done by a Maryland group of canners who express themselves inspired, not by altruistic thoughts for consumers, but because they believe grade labeling is an advance in merchandising methods.

"At the February hearing on the proposed code for the canning industry, it was pointed out that the Dominion of Canada has had a compulsory grade labeling act in operation for fifteen years. American canners, shipping products into Canada, manage to comply with the grading regulations on those exports while withholding grade labels from the packs sold inside the United States.

"The Canners' Board does not hold those facts evidence in themselves that the American canning industry should adopt the Canadian system

entirely. Among Canadian packers themselves there is much comment that the specifications upon which the grades are based do not meet proper requirements. On this point the Consumers' Board is not prepared to pass judgment. It does, however, commend to the United States industry the experience in marketing and distribution of Canadian canners and retailers which seem to indicate clearly that consumer confidence in the grade labels has rewarded the canners with increased sales and a larger proportion of high quality sales.

"These experiences, if true, go directly against the present contention by the United States canners which expresses fear that quite the contrary results would obtain. The Consumers' Advisory Board, in view of strongly favorable reports from Canada on the practicality of the grading system there, believes that it is worth the American industry's while to make a thoroughgoing investigation of conditions in Canada which, for lack of such a study, must remain in the dim light of contentious assertion.

"The Consumers' Board has evidence of very recent date that at least some Canadian canners are wholly in favor of the grading Act; that canned food advertising has rather gained than suffered through candor in telling consumers what they are buying; that Government grading goes hand in hand with Government aid to producers and distributors in apprising the public of the merits of their products.

"The Consumers' Board naturally views such questions from the point of view of the buying public, wishing to see mouths fed properly at means within purses.

"Our intent in urging the adoption of grade standards is to give the consumer protection and enable her to purchase canned foods judiciously by supplying her with some index whereby she can determine why she should pay a greater price for one can than another due to the fact that she is receiving a higher quality. The Board holds that quality grading will benefit the industry as well, for it will eliminate quality chiseling and put competition on a fairer basis. At the present time, due to the lack of grade designation on the label, (1) the consumer does not have the benefit of making a test of what she is purchasing, as does the commercial buyer, (2) undesirable merchandise which is rejected by the commercial buyers is passed on to the consuming public and (3) unfair competition between canners flourishes.

"The above conditions do not exist in Canada. The consumer is receiving a fair degree of protection, the industry is clearly flourishing and expanding under the grading system, as has been clearly illustrated in a preceding portion of this report, and both the commercial buyer and the consuming public are receiving the benefit of government testing. Also, well-advertised brands have not been injured through the adoption of grade labeling, and the entire industry appears to be steadily improving under the system. Therefore this Board does feel that not only will the consumer benefit by the adoption of grade labeling, but the industry will also if it will consent to giving the consuming public a new and better deal."

CHANGES IN REQUIREMENTS FOR MEAT CANNING

With reference to the memorandum on canning of beef mentioned in the Information Letter for September 22, and the item on labeling of beef in the Letter for September 29, the Bureau of Animal Industry has authorized the following

statement as to changes since made in the basis for payment and in the labeling requirements:

BASIS FOR PAYMENT FOR CANNING BEEF.—The basis of payment given in the memorandum has given rise to considerable confusion with regard to the name of the product on the label, the statement of net contents on the label, and the different methods of packing the product in the can. A conference between the Bureau of Animal Industry and the Procurement Division of the Federal Surplus Relief Corporation resulted in a decision to change the basis of payment for processing this canned meat.

The cans have been labelled "beef" or "roast beef." The No. 2 can has a net weight declaration of 20 ounces. The special meat can declares 24 ounces net contents. If the product in the can has been properly prepared so that there is not excessive liquid when tested according to the method outlined in the memorandum referred to above, the entire contents of the can are canned beef and payment for processing will be on the declared net contents of the can. This is not to be confused with the actual total contents of the can. Some processors have been putting in a little more than the declared net contents. The cans must be properly filled but payment will not be made for amounts above the declared net contents. If the product contains excessive liquid as determined by the test, payment will be based on the drained weight only.

LABEL REQUIREMENTS FOR CANNED MEAT.—Regarding the labeling of canned beef or canned mutton, the Bureau now requires that cans shall not bear the name "Roast Beef" either as a principal name or in the explanatory statement. The principal name is "Beef" or "Mutton." The explanatory statement may say "steam cooked" but not "steam roasted."

BROTH FOR USE IN CANNING MUTTON.—The Bureau of Animal Industry authorizes the statement that beef bones may be used in making the broth for canning mutton. If the entire canning operation, including the parboiling and the filling of the cans with parboiled meat and broth, are properly carried on so that the finished product does not show excessive liquid, the use of such a small amount of beef broth does not have to be declared on the label of the can. However, if such beef broth is used and the final product shows an excessive proportion of liquid, the cans must be labelled "mutton and broth." The kind of broth used does not have to be declared upon the label.

TARIFF NEGOTIATIONS WITH SPAIN

The procedure in reciprocal tariff negotiations was outlined in an article in the Information Letter for September 15, which also listed the countries with which negotiations are in progress and the dates on which interested parties might submit written statements or make oral presentation of views.

Spain has been added to the list of countries with which negotiations are pending. The date for submitting written statements and making application for oral presentation in connection with these negotiations is November 5, and the date for oral presentation is November 12.

APPROVED LIST OF PERISHABLES

An approved list of perishables, in the meaning of Article II, Section 1 (1), of the Canning Code, is given in Bulletin No. 12 of the Code Authority, issued under date of October 1. For the 1934 season, or until the list is revised, the following materials are considered perishable products: Apples, apricots, artichokes, asparagus, green or wax beans, lima beans, beets, berries, broccoli, Brussels sprouts, cabbage, carrots, cauliflower, cherries, corn, cucumbers, figs, fruit cocktail, grapes, greens (turnip, mustard and other), mushrooms, ripe olives, peaches, pears, peas, pimientos, pineapple, plums, sweet potatoes, prunes, pumpkin, quinces, rhubarb, salsify, seafoods, spinach, squash, and tomatoes.

The raw materials for the following products are also classed as perishables: Apple products, fruit cocktail, fruits for jams, jellies, and marmalades, fruits for salad, grapefruit products, grape juice, mushroom broth or soup, soups, succotash, tomato products, watermelon rind.

Final decision on celery, okra, parsnips, and turnips will be announced later, the bulletin states.

The bulletin also quotes the following paragraphs from the Deputy Administrator's letter, passing on the list as above given:

"It is noted that the list of perishable products includes a large proportion of the products of the industry. The application of paragraph (j) of Section 1 of Article III of the code, in my opinion, was never intended to be given such a wide application.

"However, I do not feel justified in requesting a modification of the list as formulated by the Code Authority at its meeting on July 11, 1934, at the risk of causing loss to members of the industry in their canning operations. I believe that if the exemptions based upon the handling of perishable products are to be listed upon such a broad classification, special consid-

eration will have to be given to this question when the hour and wage provisions of the code are studied further, pursuant to the terms of the executive order approving the code."

COMMITTEE ON TOMATO IMPORTS NAMED

Appointment of a committee to study the situation with respect to the tariff on canned tomatoes as it might be affected by negotiations for reciprocal trade agreement with Italy was authorized by the Code Authority at its last meeting. Chairman Ralph O. Dulany has appointed the following committee: J. Richard Phillips, Berlin, Md., chairman; B. F. Julian, Marshfield, Mo.; Carl Scudder, Windfall, Ind.; Joseph F. Barker, Ogden, Utah; D. J. Salomone, Riverbank, Calif.

PEA PACK IN 1934

The pack of green peas in the United States during 1934 totaled 15,359,653 cases, all sizes, or the equivalent of 15,741,569 cases of 24 No. 2's. The total for the industry is based on reports of operations of 272 firms and upon what are considered accurate estimates furnished the Statistical Division of the National Canners Association covering the packs of seven firms who did not report directly.

A report of the amount of peas packed during the 1934 season being made at this time is necessarily an historical record. It is in no sense a report of the supplies of canned peas available for sale at the time the pack was completed, nor at the time the report of the pack was made. Stocks of canned peas in canners' hands on September 1, totaled 7,336,330 cases, all sizes, of which 1,838,827 cases were Alaskas and 5,497,503 were Sweets.

TOTAL PACK, BY VARIETIES AND STATES

States	Total			
	Alaskas Cases	Sweets Cases	Actual cases	Standard cases 2's
Wisconsin	2,432,938	4,125,145	6,558,083	6,742,908
New York	147,159	954,900	1,102,050	1,124,090
Michigan	320,979	288,170	609,149	643,874
Indiana	227,783	32,211	259,994	262,391
Maryland	1,579,303	31,162	1,610,465	1,657,219
Ohio	126,861	29,172	156,033	155,452
Delaware				
New Jersey }	354,064	20,468	374,562	383,708
Utah }				
Idaho }	10,000	1,272,406	1,289,006	1,310,449
Illinois	23,971	159,825	183,796	184,153
Minnesota	51,152	485,023	536,175	528,060
Montana	33,145	196,938	230,083	238,837
Pennsylvania	322,570	32,784	355,354	363,589
Maine		208,928	208,928	211,397
Washington	111,748	705,391	817,139	839,797
All other States	730,538	338,229	1,068,767	1,065,027
Total	6,478,901	8,880,752	15,359,653	15,741,569

PACK, BY VARIETIES AND SIZE OF CONTAINERS

States	8 oz.	No. 1	300-303	No. 2	No. 10	Misc.
ALASKAS	Cases	Cases	Cases	Cases	Cases	Cases
Wisconsin	25,506	226,035	37,352	1,828,915	306,280	8,844
New York	216	24,868		80,011	20,992	6,072
Michigan		4,170	25,388	176,641	114,771	
Indiana		21,910	6,920	195,133	3,805	
Maryland		53,092	71,583	1,293,537	161,091	
Ohio		2,313	8,118	114,443	1,987	
Delaware }	9,900	9,568	47,770	231,215	55,641	
New Jersey }						
Utah }		700		15,500	400	
Idaho }						
Illinois		1,104		22,413	454	
Minnesota	001	5,603	2,992	39,471	2,335	
Montana		1,224		25,454	6,467	
Pennsylvania		5,948	977	291,407	24,178	
Maine						
Washington		10,069	1,710	86,461	13,508	
All other states		30,032	20,215	625,205	55,086	
Total	36,283	390,744	223,031	5,034,806	773,061	14,916
SWEETS						
Wisconsin	30,092	236,980	231,707	3,297,287	326,292	2,781
New York	38,191	112,793	90,068	612,500	75,287	25,995
Michigan		2,920	22,265	246,623	16,356	
Indiana		1,721	1,173	27,659	1,658	
Maryland		7,043		17,972	6,147	
Ohio		800	3,748	23,464	1,926	95
Delaware }				20,468		
New Jersey }						
Utah }		84,387	25,082	1,058,247	57,756	46,934
Idaho }						
Illinois	873	1,472		150,808	582	
Minnesota	20,195	27,981	135,985	258,060	42,802	
Montana	1,093	5,434	1,334	108,114	20,903	
Pennsylvania			732	30,701	1,267	84
Maine	934	12,293		190,390	5,311	
Washington	10,565	38,769	2,952	598,258	54,907	
All other states	3,395	55,147	35,417	207,075	37,195	
Total	105,278	587,701	550,463	6,913,812	647,549	75,889
Grand total	141,561	984,505	773,494	11,948,678	1,420,610	90,805

PROGRESS OF SHRIMP PACK

The following table shows the pack of shrimp during the weeks of September 13-19, September 20-26, inclusive, and the total pack from August 2, through September 26, as compiled by the Shrimp Section of the National Cannery Association.

	Sept. 13- Sept. 19	Sept. 20- Sept. 26	Aug. 2- Sept. 26
	Cases	Cases	Cases
East Coast	9,292	2,250	31,943
Alabama and Louisiana	31,594	32,873	270,632
Mississippi	2,403	12,465	53,501
Texas	2,250	2,920	14,181
Total	45,539	50,508	370,257

INCREASE IN FREIGHT LOADINGS FORECAST

Freight car loadings in the fourth quarter of 1934 will be about 2.2 per cent above actual loadings in the same quarter

in 1933, according to estimates compiled by the Shippers' Regional Advisory Boards.

On the basis of these estimates, freight car loadings of the 29 principal commodities will be 4,618,359 cars in the fourth quarter of 1934, compared with 4,520,780 actual loadings for the same commodities in the corresponding period last year.

Of the 29 commodities covered in the forecast, it is estimated that 16 will show an increase, among which are canned goods with an estimated gain of 11.1 per cent.

FRUIT AND VEGETABLE MARKET COMPETITION

Carlot shipments as reported by the Bureau of Agricultural Economics,
Department of Agriculture

Commodity	Week ending Sept. 22 1934	Week ending Sept. 30 1933		Total for season through Sept. 30.	
		1934	1933	1934	1933
Beans, snap and lima	11	34	12	12,460	10,078
Tomatoes	372	408	351	22,015	19,591
Green peas	168	130	105	6,047	7,811
All other vegetables—					
Domestic:					
Competing directly	3,247	3,696	3,793	147,827	131,206
Competing indirectly	36	27	46	354	279
Imports:					
Competing indirectly		20	46	155	111
Fruits:					
Citrus, domestic	1,043	1,524	1,816	123,862	125,074
imports	75	89	79	420	304
Others, domestic	4,107	4,155	5,273	82,506	72,241
imports		1	1	8	2
Index of fresh vegetable prices	72	75	84
Index of canned vegetable prices	87	88	70

MINIMUM PRICES APPROVED FOR CALIFORNIA CANNED RIPE OLIVES

Minimum prices to producers and changes in minimum prices to distributors as provided for in the marketing agreement and license for California canned ripe olives were approved October 1, by the Secretary of Agriculture. The changes in the minimum prices at which canners could sell canned ripe olives to the distributors, are intended to make prices more equitable according to various sizes in order that supplies may be equalized. The minimum prices to producers will be effective for all purchases of the 1934 crop. The changes in the minimum prices to distributors will become effective five days "after the mailing, simultaneously, of a notice of such changes to all canners as defined in the marketing agreement . . ."

R. S. HOLLINGSHEAD NAMED HEAD OF FISHERIES SECTION OF NRA

The National Recovery Administration on September 26 announced the appointment of R. S. Hollingshead as Acting Deputy Administrator, to succeed Deputy Administrator R. H.

Fiedler, in charge of the Fisheries Section of Division 6. Mr. Hollingshead is loaned to the Administration by the Foodstuffs Division of the Bureau of Foreign and Domestic Commerce, where he was Assistant Chief. The order takes effect October 1, 1934.

MISREPRESENTATION OF TOMATO SAUCE CHARGED

Alleging unfair competition in the sale of food products, the Federal Trade Commission has issued a formal complaint against a firm of wholesale dealers whose representations have a tendency, the complaint states, to deceive buyers into believing that its brand of tomato sauce is made from the plum-shaped Italian tomato grown in Italy and imported into the United States, when in fact this sauce is made from domestic tomatoes. Sauce made from the plum-shaped Italian-grown tomato has an established reputation for being especially adapted for use with spaghetti and other foods, particularly among Italians in this country and abroad, according to the complaint.

EASTERN OYSTER INDUSTRY NOT REQUIRED TO FILE PRICES

Division Administrator Armin W. Riley has approved an order exempting members of the fresh oyster industry in the North Atlantic, Middle Atlantic, South Atlantic, and Gulf States sections from the provisions of the industry's code relative to price filing by all members of the industry.

In recommending approval to the Division Administrator, Deputy Administrator R. H. Fiedler, in charge of the code, explained that while the sections of the industry throughout the rest of the country are highly organized, those in the eastern sections named are not, and the executive committee has had the huge task of organizing the various sectional committees for effective administrative purposes and should be relieved, for the present, of the additional task connected with the receipt of filed prices.

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